

ARIZONA

Office of the Secretary of State

Annual Report FY '02



July 2002

I am pleased to present this annual report for July 1, 2001 through June 30, 2002. This report reflects the successes from Fiscal Year 2002.

Feel free to contact our office for additional copies of this report at 602-542-4086.

Betsey Bayless
BETSEY BAYLESS
Secretary of State

Secretary of State

Annual Report



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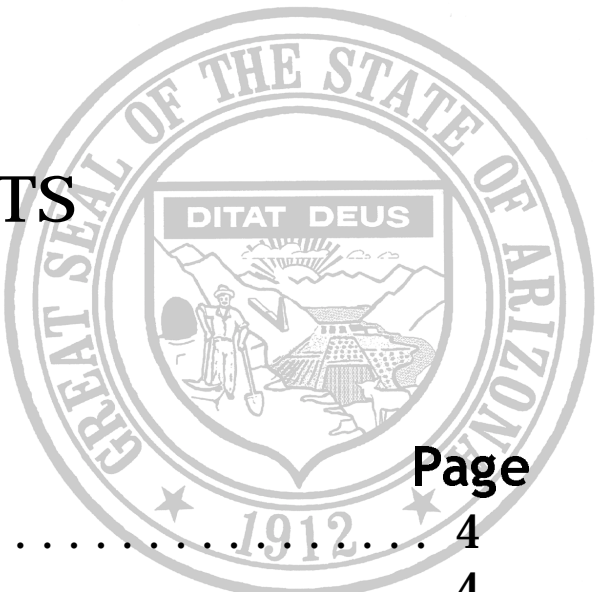
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Voter Outreach Project
Vote Arizona Logo

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AGENCY MISSION STATEMENT

The mission of the Office of the Secretary of State is to carry out its constitutional and statutory mandates which are to receive and record filings from governmental bodies and the general public; to provide election services to counties and candidates for office; to register and certify business transactions; to publish official acts of

the State of Arizona including its chapter laws and rules; to appoint notaries public; and to carry out these mandates in a manner compatible with the requirements and expectations of the constituencies the office serves.

AGENCY DESCRIPTION

The Department of State was created by the constitution and is headed by a publicly elected Secretary of State, who serves as Acting Governor in the absence of the Governor, and succeeds the Governor should a vacancy occur. The Secretary of State is the official keeper of the Great Seal of the State of Arizona.

The Secretary of State's office receives and records various filings, including Uniform Commercial Code transactions, trademark and trade name registrations, charity filings, limited partnership and limited liability partnership filings;

administers election functions, including canvass and certification of state-wide elections, registration of lobbyists and acceptance of periodic lobbyist filings, and campaign finance filings; publishes all official acts of the State of Arizona including Chapter laws, the *Arizona Administrative Code* and the *Arizona Administrative Register*, appoints notaries public, and authenticates notaries public and certain public officials for documents sent to foreign locations.

ADMINISTRATION

MISSION STATEMENT:

To provide guidance, leadership, and support to the staff of the Secretary of State's office.

DIVISION DESCRIPTION:

The administration anticipates the increasing expectations of the public, candidates, elected officials, media, and business community in order to provide timely and efficient filing and retrieval of information through advanced automation.

The Secretary of State's office is responsible for maintaining a record of all official acts of the Governor during the year, and to account for the official acts of the Secretary of State including issuance and attachment of the Great Seal of Arizona to documents that are filed.

The Secretary of State's Office keeps documentation of filings and registrations made within its divisions, as well. Counts of these transactions are tabulated throughout this report where available.

Fast Facts:

The Administration Division of the Secretary of State's Office recorded, filed or prepared:

- 270 Extraditions
- 84 Eagle Scout certificates
- 27 Grants of permission to use the State Seal

The Administration Division of the Secretary of State's Office has kept record of the following actions of the Governor:

- 24 Resolutions filed
- 2 Memorials filed

BUSINESS SERVICES

MISSION STATEMENT:

To accept, deny, process and maintain a database and record of all required documents and to make them available to all interested parties.

DIVISION DESCRIPTION:

The Business Services Division exists to centralize state-wide registration of trade names, trademarks, limited partnerships, limited liability partnerships, limited liability limited partnerships, charities, telephone solicitors, contracted fund-raisers, athlete agents, and to perfect Uniform Commercial Code financing statements in an efficient and timely manner for the general public.

The Business Services Division also oversees the commissioning of notaries public for the state and certifies notarizations, rules, and laws.

Fast Facts:

The Business Services Division has accepted the following number of initial and subsequent filings and annual reports in Fiscal Year 2002:

- 4 General Partnerships
- 1,479 Limited Partnerships
- 1,756 Limited Liability Partnerships
- 874 Limited Liability Limited Partnerships
- 517 Foreign Limited Partnerships
- 65 Foreign Limited Liability Partnerships
- 10 Foreign Limited Liability Limited Partnerships

The Business Services Division administers the following number of recorded Limited Partnerships:

- 5 General Partnerships
- 16,677 Limited Partnerships
- 5,011 Foreign Limited Partnerships
- 1,709 Limited Liability Partnerships
- 87 Foreign Limited Liability Partnerships
- 793 Limited Liability Limited Partnerships
- 14 Foreign Limited Liability Limited Partnerships

In Fiscal Year 2002, the Business Services Division filed:

- 523 New Intergovernmental Agreements
- 615 Amendments to Intergovernmental Agreements
- 76,487 Uniform Commercial Code transactions
- 19 Athlete Agent Registrations

BUSINESS SERVICES

The Business Services Division currently administers:

- 17,353 Trademarks
- 116,734 Trade names

In Fiscal Year 2002, the Business Services Division filed the following documents related to Trade name records:

- 19,046 applications
- 4,835 renewals
- 899 amendments
- 897 assignments

The Business Services Division filed the following documents related to Trademark records:

- 951 applications
- 215 renewals
- 39 amendments

- 96 assignments

The Business Services Division also administers the following registrations:

- 67,512 Telephone Solicitors
- 2,402 Charities
- 137 Contracted fund raisers

In Fiscal Year 2002, the Business Services Division has issued and affixed the Great Seal of Arizona to:

- 18,396 Certificates of Notary Public Appointments
- 14,469 Certificates of Apostilles/Authentication for Notaries Public
- 3,638 Certificates of Authentication

Miscellaneous statistics for Fiscal Year 2002:

- 32 Notary Workshops conducted state-wide
- 45 Notary Complaints filed

ELECTION SERVICES

MISSION STATEMENT:

The mission of the Election Services Division is to provide professional, courteous service in the administration of campaign finance and lobbyist laws; candidate and ballot filings; training and certification of county recorders and election officials; review and certification of election equipment used by the counties; logic and accuracy tests prior to each election on counties' vote counting devices; and retrieval of filings for the public upon request.

Fast Facts:

During FY 2001, the Election Services Division accepted the following documents for filing or handled the following matters:

- 291 Statements of Organization for Candidate Committees
- 60 Statements of Organization for Non-Candidate Committees
- 1853 Amendments to Statements of Organization
- 643 Financial Disclosure Statements filed by Public Officers and Judges and Candidates
- 4 Candidate Campaign Finance Reports (on paper)
- 3 Non-Candidate Political Committee Campaign Finance Reports (on paper)
- 850 Amendments to Campaign Finance Reports
- 140 Candidate and Non-Candidate Political Committee Campaign Finance Reports filed under the provisions of the Federal Election Campaign Act (in May 2001, Arizona became a "waiver" state with the Federal Elections Commission. Candidates and Committees no longer are required to file paper reports with the Secretary of State.)
- 2150 Electronic filings of campaign finance reports
 - 2055 Internet
 - 95 Diskette
- 1 Initiative Petitions filed by the People containing 166,265 signatures for verification
- 320 Candidates' nomination petition papers to run for office
- 0 Presidential Electors Nomination Papers
- 131 Clean Election Candidate Application for Certification As A Participating Candidate
 - 96,716 Qualifying Contribution Slips
 - 54 Candidates Qualified as Clean Election "Participating" Candidates
- 0 Presidential Preference Candidates' Nomination Papers
- Lobbyist Quarterly Registration and Reports
 - 913 Lobbyists Registrations Filed
 - 3,657 Reminder notices mailed
 - 600 Failure to File letters mailed
 - 259 Names Reported to Attorney General for Failure to File Lobbyist Quarterly Expenditure Reports
- Principal Registrations
 - 114 Initial Registrations filed
 - 233 Amendments to Registration filed
 - 65 Terminations to Principal Registrations filed
- 25 Lobbyists paid \$100 Clean Election Fee (pursuant to Superior Court Order, Lobbyist Clean Election Fees no longer collected.)
- Public Body Registrations
 - 17 Initial Registrations filed
 - 83 Amendments to Registration filed

ELECTION SERVICES

- 6 Terminations to Public Body Registrations filed

Voter Outreach

Youth Outreach

Over 18, Under 18:

- Partnership with Kids Voting Arizona, Intel, WB61 and Pizza Hut.

Birthday Cards:

- Three mailings – average of 15,000 18,000 each mailing.

High School Visits:

- Visited six state high schools.
- Some presentations with Kids Voting.
- Three schools with personalities from WWF for Smack Down Your Vote on April 8 and 9, 2002.

Hispanic Outreach

Tu Voto es Tu Voz:

- Partnership with 2 television networks; Telemundo and Univision. 2 major Spanish newspapers, La Voz and Prensa Hispana and 4 Spanish Radio Stations.
- APS was the corporate partner.
- Arvizu Promotions produced 4 Public Service Announcements.
- Chicanos Por La Causa, MALDEF, UFW, SVREP and Kids Voting Arizona were the Non-profit partners.
- Regular appearances during the 5 and 10 p.m. news segments to conduct voter education.
- Regular on the different radio stations involved to conduct voter education.
- Eight voter registration drives in Food City stores and Arizona Mills. Registered nearly 600 to vote.

Asian Outreach

Visited with different communities in their

temples of worship, during cultural events and house meetings to organize and conduct voter registration drives.

Secretary of State Asian Advisory Council.

Members played active role in advisement on areas of attention.

Native American Outreach

Developed and kicked off Native American

Voter projects in Urban then Rural areas.

- Visited 4 Chapters on the Navajo Reservation to train for voter registration projects
- Registered 178 Urban Indian and 496 rural Native Americans to vote.

Midnight Voter Registration Drives (last minute drop-off)

Two municipal elections – February 11, 2002 -Tempe, Glendale

Presentations and guest speaker to conduct voter education

State agencies, including MVD, AHCCS and WIC to promote Federal requirements under the National Voter Registration Act of 1993.

- High Schools, Community Colleges, Junior High and Elementary Schools.
- Community Based Organizations, National Non-profits, Community grass roots (block watch/HOA)

Grocery stores and other places of business:

Voter Registration forms were made available at most Credit Unions, Bank One Branches and seven Phoenix McDonalds.

ELECTION SERVICES

Major grocery stores provided customers with voter registration forms throughout the state. List includes: Food City, Safeway, Albertson's, Walgreen's, AJ's Fine Foods, Basha's, Fry's and Osco Drug stores.

Voter Registration made easy:

- EZ Voter Registration is in the making for FY 2003. Waiting on approval from DOJ.
- Downloadable voter registration form from our Website, www.sos.state.as.us.
- Toll-free number to request a form 1 877-THE-VOTE.

Voter Registration drives:

- Places of Employment, Job Fairs, Cultural Events, Special Events and Sports events.
- Total of 13 drives, registering over 1,200 from voter registration drives.
- Developed core teams of volunteers from various areas: students, unions, community leaders, churches and businesses.

Election Officer Certification

- The 2001 Election Officer Certification Training Program, as mandated by A.R.S. § 16-407 (C), began in FY '01 and concluded in FY '02. The classes were attended by county recorders, officers in charge of elections, employees of these offices, county school superintendent staff, deputy county attorneys, house and senate staff attorneys and members of the Secretary of State's Election Services Division.
- The Election Director, Assistant Election Director and members of a committee appointed by the Secretary of State (a county recorder, two election directors and an assistant attorney general) prepared course materials and a written test. Subjects covered included Election Law, Initiative Referendum and Recall, Candidate

Nomination, Ethics, The National Voter Registration Act of 1993, Overseas and Military Voting Procedures, Voting Rights Act, Pre-Clearance; Communication and Teamwork. The Training courses were conducted at the following times and locations:

25-hour Initial Certification Classes

- Phoenix, June 4 – 8, 2001
- Phoenix, July 30 – August 3, 2001

10-hour Re-Certification Classes

- Prescott, September 20 – 21, 2001
- Flagstaff, September 27 – 28, 2001
- Tucson, October 1 – 2, 2001
- Phoenix, October 4 – 5, 2001
- Safford, October 11 – 12, 2001
- Bisbee, November 15 – 16, 2001
- Phoenix, November 29 – 30, 2001

Upon completion of the 2001 Election Officer Certification Program, the Secretary of State issued 213 diplomas to county election officials, recorders and their staff members, as well as secretary of state staff, and others. Certificates of Attendance were also presented to 21 attendees. Those certified to conduct official election duties for the 2002 elections included the following:

- 12 county recorders who voluntarily completed the program
- 12 chief deputy county recorders
- 14 county election directors
- 5 clerks of the boards of supervisors (in addition to 3 clerks who also serve as election directors in their counties)

PUBLIC SERVICES

MISSION STATEMENT:

To provide public information, process publication requests, file agency rules, publish the *Arizona Administrative Code* and the *Arizona Administrative Register*, and publish statutorily mandated and other informational publications and documents while serving the public efficiently and professionally.

DEPARTMENT DESCRIPTION:

The Public Services Division files and publishes the rules of the state's agencies in quarterly supplements to the *Arizona Administrative Code* and in the weekly *Arizona Administrative Register*; reproduces for public distribution chapter laws as passed by the legislature and signed by the Governor, prepares and prints most of the publications for the Office of the Secretary of State including: the state constitution; the residential and the mobile home landlord and tenant acts; the *Arizona Notary Public Handbook*; the legislative directory; the *Arizona Blue Book*; and numerous other documents, pamphlets, and booklets.

The Division maintains both paper and electronic (online) versions of publications. Both the paper and electronic publications are produced in-house saving taxpayer dollars.

The Public Services Division supports the other SOS divisions in preparation and printing of publications, office documents and public records, and special projects. The Division pro-

cesses the mail for the Secretary of State's Office.

The Public Services Division files the notices of the Governor's appointments to the state's boards and commissions; files loyalty oaths for the Governor's appointments and judges; and maintains subscriptions to the Arizona Revised Statutes under A.R.S. § 41-123, Arizona Reports under A.R.S. § 12-108, subscriptions to Chapter Laws, and subscriptions to the *Code* and *Register*.

Fiscal Year 2002 - Reorganization

The Division staff made numerous significant improvements to publications and improved the processing of documents in FY '02.

New procedures were established in January 2002 by the Acting Director. These include maintenance of a new logging system for loyalty oaths; surplus of obsolete state property; creation of office job manuals for staff reference; establishment of file structures and archiving procedures for 13 years of rulemaking packages in storage; establishment of new procedures and an electronic log for filed rules, incorporated by reference material, and miscellaneous material; creation of an online rules and miscellaneous log; creation of a new database for Chapter Laws that will become effective in FY '03; archiving of 50 years of loyalty oaths; and creation of file structures for paper and electronic files.

This fiscal year the staff incorporated new

PUBLIC SERVICES

procedures to archive and digitize 13 years of rulemaking filings. New procedures to maintain incorporated by reference material, loyalty oaths, and chapter laws were established. By FY '03, 13 years of rules will be filed and made available online for public reference. An incorporated by reference library has been organized.

Subscriber lists were updated. Databases were created and updated with subscriber information for the Arizona Revised Statutes and Arizona Reports.

Subscribers maintained:

- 29 Arizona Revised Statutes subscriptions (complete sets and updates)
- 251 Arizona Reports Subscriptions (2 volumes per fiscal year)

Rules

The Division completed a long-awaited, total revision of the Office's rules on rulemaking, which had not been updated in seven years. It is hoped that the final rules will be approved by the Attorney General's Office in early 2003. The Division also completed an overhaul of the state's rulemaking manual (dormant and outdated since 1995), which will help improve the accuracy and efficiency of the rulemaking process.

Fast Facts:

During Fiscal Year 2002, the Division filed and published in the *Arizona Administrative*

Register the following pursuant to the Administrative Procedure Act:

- 244 Docket Openings
- 154 Proposed Rules
- 15 Supplemental Proposed Rules
- 21 Terminated Rules
- 35 Exempt Rules
- 115 Final Rules
- 5 Emergency
- 7 Recodification of Rules

The Public Services Division of the Secretary of State's Office filed and published notices of the following:

- 81 Substantive Policy Statements
- 0 Agency Guidance Documents
- 2 Proposed Delegation Agreements
- 2 Final Delegation Agreements
- 5 Agency Ombudsmen
- 6 Governor's Regulatory Review Council (G.R.R.C.) Agendas
- 4 G.R.R.C. Summaries of Action Taken
- 3 Proposed Summary Rules
- 27 County Rules Notices
- 1 Final Summary
- 46 Public Information Notices
- 17 Expired Rules
- 2 Formal Rulemaking Advisory Committee
- 10 Other filings

The total impressions made to produce the *Arizona Administrative Register* for the fiscal year was more than 1,417,500. The average page count for an *Arizona Administrative Code* supplement was 1,618, with more than 2 million, 112 thousand impressions made for publication during the fiscal year.

PUBLIC SERVICES

Support

During the fiscal year, the Administrative Code and Special Project editors supported the Election and Business Services Divisions, Computer Services, and Administration. This included review of press releases and media advisories.

The Special Projects editor supported other Office staff with the design of projects including: the maintenance of a press release area of Web page; support of the Project HomeSafe Campaign; META tagging of online publications; support to the Voter Outreach director with updates to the extreme voter guide; conveying press releases and marketing information to the media and public; posting office publications online; design of the Election Ballot Proposition Guide; and design of logos and animated gifs for special projects and the Secretary of State Web page.

Records Retention

The Division has filed and made available to the public the following actions of the Governor:

- 13 Executive Orders
- 388 Bills signed into law during the 1st Regular Session of the 45th Legislature

Publications

Most of the publications provided by the Secretary of State's Office are printed in-house. Consistency between publications was established in FY '01. In FY '02 the new design was used on all Office publications. All of the publications are available online.

Fast Facts:

The Public Services Division of the Secretary of State's Office printed:

- 6,850 State and U.S. Constitutions
- 73,100 Mobile Home Parks Landlord and Tenant Acts
- 109,920 Residential Landlord and Tenant Acts
- 350 Bingo Law
- 1,500 Telemarketing Books
- 24,000 Tradename Books
- 38,240 Notary Handbooks
- 17,218 Partnership Books
- 4,250 Legislative Directory Books
- 42,325 Notary Law Books
- 7,315 Notary 101 Books
- 4,510 Campaign Finance Books
- 300 Arizona Coloring Books
- 3,500+ Welcome Brochures
- 3,000+ State Symbol Cards and Brochures
- 2,000+ Bookmarks